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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/509,055	03/20/2000	HANS-DIETER HECKER	P00.0069	7794

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EXAMINER

GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 08/26/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/509,055

Applicant(s)

HECKER, HANS-DIETER

Examiner

Gerald Gauthier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9 and 12-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 9 and 12-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. **Claims 9, 12, 14, and 16-18** are rejected under 35 U.S.C. 102(e) as being anticipated by Fung et al. (US 6,069,939).

Regarding **claim 9**, Fung discloses a method for automatically providing a called party with audio prompt in a language spoken in the location (column 1, lines 6-11), (which reads on claimed "a method in a communication system for translating messages that are directed to a called subscriber into a language that is dependent upon the called subscriber"), the method comprising the steps of:

storing selector information (column 6, line 33 "select certain languages") designating a language (column 6, line 34 "French for prompts/announcements") that is allocated to a relevant subscriber (column 6, line 30 "a subscriber") for internal subscribers in the communication system (column 6, lines 24-39) [The subscriber on sign up is invited to select certain languages for delivery of prompts to called parties]; storing display texts (column 2, line 7 "special characters"), in the communication system, for a dialogue operator interface of internal terminal devices (column 2, line 6 "special processor") in several languages (column 2, lines 2-7) [The special processor

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provides the special characters to display in more than one languages such as Korean and Cyrillic];

forming the selector information dependent on the language of the display text for the dialogue operator interface that is selected by a subscriber (column 6, lines 57-67) [The network adjunct processor determines whether the calling party is eligible for CBLS.];

comparing the selector information of a calling subscriber (column 7, line 5 “the calling party”), when a connection is set up (column 7, line 9 “the call processing functions”), to the selector information of the called subscriber (column 7, lines 5-13) [The interactive voice system prompts the caller to activate the service at the call processing functions]; and

automatically activating a loop-in function (column 7, line 51 “searches the caller tables to match the dialed city/region language”), when items of the selector information of the calling subscriber differs from the selector information in the called subscriber, which effects an insertion of a translator (210 on FIG. 2) into the connection (column 7, line 33 to column 8, line 3) [The network adjunct processor determines the dialed city language and the interactive voice system produces the appropriate audio prompts in the language of the dialed party].

Regarding **claim 12**, Fung discloses transmitting, when a calling terminal device and a called terminal device are allocated to different communication systems, the selector information from the communication system of the calling terminal device to the communication system of the called terminal device (column 7, lines 14-32).

Regarding **claim 14**, Fung discloses transmitting, in cases when a calling terminal device and a called terminal device are allocated to different communication systems, the selector information from the communication system of the called terminal device to the communication system of the calling terminal device (column 7, lines 33-47).

Regarding **claim 16**, Fung discloses deactivating the loop-in function (column 5, lines 15-25).

Regarding **claim 17**, Fung discloses wherein the message to be translated is at least one of a voice message, a fax message, a video message and a message for electronic mail (column 6, lines 1-23).

Regarding **claim 18**, Fung discloses an apparatus for automatically providing a called party with audio prompt in a language spoken in the location (column 1, lines 6-11), (which reads on claimed “a system in a communication system for translating messages, that are directed to a called subscriber, into a language that depends on the called subscriber”), the system comprising:

a text memory (column 2, line 7 “recognizes special characters”) in which display text for a display operator interface of internal terminal devices (column 2, line 6 “special processor”) are stored in several languages (column 2, lines 2-7) [The special processor provides the special characters to display in more than one languages such as Korean and Cyrillic];

subscriber-specific storage elements in which an item of selector information (column 6, line 33 “select certain languages”) that identifies a language (column 6, line 34 “French for prompts/announcements”) that has been selected for the subscriber terminal is respectively stored (column 6, lines 24-39) [The subscriber on sign up is invited to select certain languages for delivery of prompts to called parties];

at least one translator (210 on FIG. 2) for translating at least one of spoken language (column 6, line 10 “prompts/announcements/messages”) and text (column 6, lines 1-23) [The interactive voice system interpret the language spoken by the called party and generating prompts/messages]; and

a control unit (60 on FIG. 1) for controlling a loop-in function (column 7, line 51 “searches the caller tables to match the dialed city/region language”) that effectuates an insertion of a translator (210 on FIG. 2) into a connection (column 7, line 59 “the

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communications link") between the called subscriber (column 7, line 64 "the called party station") and a calling subscriber (column 7, line 53 "the caller") in cases when the selector information allocated to the called subscriber is different from the selector information allocated to the calling subscriber (column 7, line 33 to column 8, line 3) [The network adjunct processor determines the dialed city language and the interactive voice system produces the appropriate audio prompts in the language of the dialed party].

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 13 and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Fung in view of Shaffer et al. (US 6,240,170).

Regarding **claims 13 and 15**, Moughanni as applied to claims 12 and 14 differs from claims 13 and 15, in that it fails to disclose an ISDN call signaling.

However, Shaffer teaches transmitting the selector information in the framework of an ISDN call signaling (column 2, lines 29-49).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use an ISDN call signaling of Shaffer in the invention of Fung.

The modification of the invention would offer the capability of an ISDN call signaling such as the system would improve the ability of voice processing systems to handle various languages.

Response to Arguments

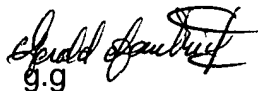
4. Applicant's arguments with respect to **claims 9 and 12-18** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

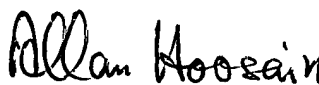
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.


g.g

August 22, 2003

ALLAN HOOSAIN
PRIMARY EXAMINER


ALLAN HOOSAIN
PRIMARY EXAMINER for
